

# STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE  
PHONE (317) 232-3775  
FAX (317) 232-8779



INDIANA GOVERNMENT CENTER NORTH  
100 NORTH SENATE AVENUE N1058 (B)  
INDIANAPOLIS, IN 46204

## MEMORANDUM

TO: Assessing Officials

CC: Auditors, Treasurers, County Commissioners, and County Council Members

FROM: Cheryl A.W. Musgrave, Commissioner *CWM*

DATE: July 18, 2008

SUBJECT: Elected Township Assessor Referendum Procedure

1. The purpose of this memorandum is to inform all assessing officials and other county officials of the process detailed in HEA 1001 (P.L. 146-2008) as it relates to the referendum process for elected township assessors in townships with fifteen thousand (15,000) parcels or more as of January 1, 2008. The elected township assessor referendum is to be presented to the voters of the subject township(s) at the November 4, 2008 general election. There are forty-three (43) townships in the State where the referendum question will appear on the ballot. *See attachment.*

2. The material in this memorandum was previously provided in an April 1, 2008 memorandum titled, "*House Enrolled Act (HEA) 1001 and Assessing Officials*," and was distributed by the Department of Local Government Finance ("Department") to assessing officials and other county officials. The April 1, 2008 memorandum can be found at [www.in.gov/dlgf/files/Memo-House\\_Enrolled\\_Act\\_\(HEA\)\\_1001\\_and\\_Assessing\\_Officials.pdf](http://www.in.gov/dlgf/files/Memo-House_Enrolled_Act_(HEA)_1001_and_Assessing_Officials.pdf).

### 3. Referendum

a. *Referendum Question.* HEA 1001, Section 694 adds a new section, IC 36-2-15-7.4, to the Indiana Code, effective **July 1, 2008**. The new provision states that assessment duties of the elected township assessor are transferred to the county assessor only if a majority of the township voters who vote in the referendum (townships with 15,000 parcels or more as of January 1, 2008) approves the transfer of assessing duties to the county assessor. The question to be submitted to the voters in the referendum is:

**"Should the assessing duties of the elected township assessor in the township be transferred to the county assessor?"**

b. *Certification of Referendum Question to County Election Board.* HEA 1001, Section 695 adds a new section, IC 36-2-15-8, to the Indiana Code, effective on **July 1, 2008**. The county legislative body (i.e., county commissioners) is required to certify the referendum question to be

voted on to the county election board. Each county clerk must, upon receiving the question, call a meeting of the county election board to make arrangements for the referendum. The referendum is required to be held in the general election in November 2008 (i.e., November 4, 2008). The referendum is held under the direction of the county election board. At least ten (10) days before the November 2008 election, the county election board publishes the referendum question in accordance with the legal notice requirements.

*c. Requirements of County Election Board.* HEA 1001, Section 696 adds a new section, IC 36-2-15-9, to the Indiana Code effective on **July 1, 2008**. This new section requires the county election board to:

(1) certify the referendum question to the circuit court clerk by the county legislative body (i.e., county commissioners) to be placed on the ballot; *and*

(2) provide an adequate supply of ballots and voting equipment to the precinct election board of each precinct in the township where the referendum is to be held.

*d. Registered Voters in Subject Township Can Vote.* HEA 1001, Section 697 adds IC 36-2-15-10 as a new section to the Indiana Code, effective **July 1, 2008**. This new section states that all registered voters resident in the township subject to the referendum are entitled to vote.

*e. Counting of Votes.* HEA 1001, Section 698 adds IC 36-2-15-11 as a new section to the Indiana Code, effective **July 1, 2008**. This provision requires each precinct election board to count the votes cast in the referendum and certify the totals of the affirmative votes and the negative votes to the county election board of the county. The circuit court clerk of the county is required to certify the results of the referendum to the county legislative body (i.e., county commissioners). The county legislative body (i.e., county commissioners) then notifies the Department of the result of the referendum. If a majority of the voters who voted in the referendum voted "yes", the county legislative body (i.e., county commissioners) notifies the county assessor and the elected township assessor, and the elected township assessor's assessment duties are transferred to the county assessor on January 1, 2009.

4. If after you review this memorandum and the attachment you have questions, please contact your assessment field representative. If you do not know your assessment field representative visit [http://www.in.gov/dlgf/files/Assessment\\_Field\\_Repsby\\_County.pdf](http://www.in.gov/dlgf/files/Assessment_Field_Repsby_County.pdf).

Attachment:

Townships With More Than 15,000 Parcels (1 page)

## Townships With More Than 15,000 Parcels

